



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TERMINAL DISCLAIMER

APPLICANT:	Weber et al	GROUP ART UNIT: 1775
SERIAL NO.:	10/672,218	EXAMINER: R. Koehler
FILED:	September 26, 2003	CONFIRMATION NO.: 2867
INVENTION:	"MARKER FOR USE IN A MAGNETIC ANTI-THEFT SECURITY SYSTEM"	

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

S I R:

Your Petitioner, Vacuumschmelze GmbH, a German Corporation, is the owner of the above-identified application, Serial No. 10/672,218, filed September 26, 2003, and the entire right, title and interest to the invention disclosed and claimed in said application by an Assignment from Hartwin Weber, Gernot Hausch and Ottmar Roth, recorded in the United States Patent and Trademark Office on September 26, 2003 at Reel 014566, Frames 0946-0947.

Your Petitioner, Vacuumschmelze GmbH, a German Corporation, is the Assignee and owner of U.S. Patent No. 6,663,981, which issued on December 16, 2003 from U.S. Serial No. 09/269,490, filed June 8, 1999, by an Assignment recorded August 29, 2002 at Reel 013252, Frames 0198-0202.

Your Petitioner, Vacuumschmelze GmbH, hereby disclaims the terminal part of any patent granted on the above-identified application which extends beyond the expiration date of U.S. Patent No. 6,663,981.

Your Petitioner, Vacuumschmelze GmbH, hereby agrees that any patent granted on U.S. Serial No. 10/672,218 should be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No.

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6,663,981, this agreement to run with any patent granted on U.S. Serial No. 10/672,218 and to be binding upon the grantees, successors and assigns.

Your Petitioner, Vacuumschmelze GmbH, does not disclaim any terminal part of any patent granted on U.S. Serial No. 10/672,218 prior to the expiration date of the full statutory period of U.S. Patent No. 6,663,981 in the event that U.S. Patent No. 6,663,981 is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by re-examination certificate or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal titles stated above.

We, the undersigned, have reviewed all of the documents in the chain of title of the patent application identified above, and to the best of the undersigned's knowledge and belief, title is in the Assignee, Petitioner identified above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed at Hanan, this 27 day of May 2004.

VACUUMSCHMELZE GmbH & Co. KG

By: 

By: _____

HRA 5479

Nr. der Eintragung	a) Firma b) Ort der Niederlassung (Sitz der Gesellschaft) c) Gegenstand des Unternehmens (bei juristischen Personen)	Tausender Hunderter Zehner 13579	Geschäftsinhaber Persönlich haftende Gesellschafter Vorstand Abwickler	Prokura	Rechtsverhältnisse	a) Tag der Eintragung und Unterschrift b) Bemerkungen
1	2	3	4	5	6	
1	a) Firma b) Ort der Niederlassung (Sitz der Gesellschaft) c) Gegenstand des Unternehmens (bei juristischen Personen)	a) Vacuumschmelze GmbH & Co. KG b) Hanau	Morgan TCD GmbH Sitz: Düsseldorf	Prokura gemeinsam mit einem persönlich haftenden Gesellschafter oder einem Prokuristen: Peter Unvericht, geb. 18.08.1937, Rodenbach Wolf Dieter Freiburg, geb. 05.11.1939, Karlsruhe Josef Wied, geb. 28.03.1939, Hanau Walter Pölzl, geb. 27.01.1942, Karlsruhe Dr. Rolf Stockert, geb. 18.02.1944, Langenselbold	Nunmehr Kommanditgesellschaft. Beginn: 26.07.2000 Die Gesellschaft ist dadurch entstanden, dass die bisher bei dem Amtsgericht Hanau zu HRB 1092 eingetragene Vacuumschmelze Gesellschaft mit beschränkter Haftung mit Sitz in Hanau durch Beschluss der Gesellschafterversammlung vom 25.04.2000 nach dem Umwandlungsgesetz (§§ 190 ff, 226, 228 ff UmwG) formwechselnd in eine Kommanditgesellschaft umgewandelt worden ist. Kommanditistin ist: Morgan Advanced Ceramics GmbH & Co. KG in Remagen mit einer Einlage von 100.000 DM	a) 26.7.2000 (Weitzel) b) persönlich haftende Gesellschafterin: Amtsgericht Düsseldorf HRB 37475 Sob.BI. 508 ff Eintr.Vfg.BI. 421
2		Morgan TCD GmbH & Co. KG Sitz: Düsseldorf			Die bisherige persönlich haftende Gesellschafterin ist in die Rechtsform einer Kommanditgesellschaft umgewandelt worden.	a) 22.3.2001 (Weitzel) b) persönlich haftende Gesellschafterin: Amtsgericht Düsseldorf HRA 14605 Sb. BI. 544 ff Eintr.Vfg. BI. 426

Nr. Of the entries	a) Company b) Location of the establishment c) Object of the enterprise	Owner Personally liable partners Board of directors Liquidator	Procuration	Legal relationships	a) Date of the entry and signature b) Remarks
1	2	3	4	5	6
1	a) Vacuumschmelze GmbH & Co. KG b) Hanau	Morgan TCD GmbH Office: <u>Düsseldorf</u>	Procuration together with a personally liable partner or a signing (confidential) clerk: <u>Peter Unvericht,</u> <u>b. 18 August 1957,</u> <u>Rodenbach</u> <u>Wolf Dieter Freiburg,</u> <u>b. 5 November 1939,</u> <u>Karlstein</u> <u>Josef Wied,</u> <u>b. 28 March 1939,</u> <u>Rodenbach</u> <u>Peter Walter Pölzl,</u> <u>b. 27 January 1942,</u> <u>Karlstein</u> Dr. Rolf Stockert, b. 18 February 1944, Langenselbold	5 Henceforth limited partnership. Beginning: 26 July 2000 The partnership has been created in that the Vacuumschmelze partnership with limited liability with office in Hanau, previously registered with the district court Hanau at HRP 1092, has been form-variably [sic] transformed into a limited partnership via resolution of the shareholders' meeting of 25 April 2000 according to the law regulating the transformation of companies (§§ 190 and the following, 226, 228 and the following law regulating the transformation of companies). Limited partner is: Morgan Advanced Ceramics GmbH & Co. KG in Remagen with a contribution of 100,000 DM	a) 26 July 2000 [signature] (Weitzel) b) personally liable partners: District court Düsseldorf HRB 37475 Immediate pages 508 and the following Registered forthcoming pages. 421
2		Morgan TCD GmbH & Co. KG Office: Düsseldorf		The henceforth personally liable partnership has been transformed into the legal form of a limited partnership.	a) 22 March 2001 [signature] (Weitzel) b)

					<p>personally liable partners: District court Düsseldorf HRA 14605</p> <p>Immediate pages 544 and the following</p> <p>Registered forthcoming pages. 426</p>
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